

1 STEVEN G. KALAR
Federal Public Defender
2 VARELL L. FULLER
Assistant Federal Public Defender
3 160 West Santa Clara Street, Suite 575
San Jose, CA 95113
4 Telephone: (408) 291-7753
5 Counsel for Defendant KIBBEE

~~ORDER OF THE~~

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 12-00701-DLJ
12)
Plaintiff,) AMENDED STIPULATION AND
13 vs.)] ORDER CONTINUING
14 BRENDA JO KIBBEE,) STATUS HEARING DATE TO MAY 30,
15 Defendant.) 2013 AND EXCLUDING TIME UNDER
THE SPEEDY TRIAL ACT
16)

17 **STIPULATION**

18 Defendant Brenda Jo Kibbee, by and through Assistant Federal Public Defender Varell L.
19 Fuller, and the United States, by and through United States Department of Justice Trial Attorney
20 Matthew J Kluge, hereby stipulate that, with the Court's approval, the status hearing currently
21 set for Thursday, May 2, 2013, at 9:00 a.m., shall be continued to Thursday, May 30, 2013, at
22 9:00 a.m.

23 This stipulation amends the previously filed stipulation and proposed order continuing
24 the May 2, 2013, status hearing date to June 6, 2013. *See* Docket Item # 20. The reason for the
25 requested continuance is defense counsel requires additional time to effectively prepare and
26 review the voluminous discovery provided in this matter. Accordingly, the parties therefore

1 respectfully requests a continuance of the status hearing previously set in this matter to May 30,
2 2013.

3 Accordingly, the parties agree that the time between May 2, 2013, and May 30, 2013,
4 may be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for
5 effective preparation by defense counsel.

6 Dated: May 1, 2013

7 _____/s/
8 VARELL L. FULLER
Assistant Federal Public Defender

9 Dated: May 1, 2013

10 _____/s/
11 MATTHEW J. KLUGE
Trial Attorney, Tax Division
United States Department of Justice

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16 **[] ORDER**

17 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
18 ORDERED that the hearing currently set for Thursday, May 2, 2013, shall be continued to
19 Thursday, May 30, 2013, at 9:00 a.m.

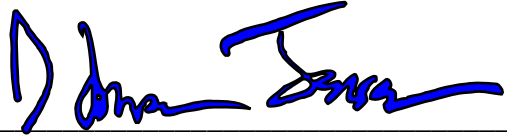
20 THE COURT FINDS that failing to exclude the time between May 2, 2013, and May 30,
21 2013, would unreasonably deny the defendant reasonable time necessary for effective
22 preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§
23 3161(h)(7)(B)(iv).

24 THE COURT FINDS that the ends of justice served by excluding the time between May
25 2, 2013, and May 30, 2013, from computation under the Speedy Trial Act outweigh the interests
26 of the public and the defendant in a speedy trial.

1 THEREFORE, IT IS HEREBY ORDERED that the time between May 2, 2013, and May
2 30, 2013, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(7)(A) and (B)(iv).

4 IT IS SO ORDERED.

5 Dated: 1st day of June 2013



THE HONORABLE D. LOWELL JENSEN
United States District Judge